

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

JOSEPH VAN LOON *et al.*,

Plaintiffs,

v.

DEPARTMENT OF THE TREASURY *et al.*,

Defendants.

Civil Action No. 1:23-cv-312-RP

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**DEFENDANTS' NOTICE OF INTENT TO RESPOND**

Defendants respectfully provide the following notice to the Court of their intent to respond to Plaintiffs' Motion for Entry of Judgment, ECF No. 100.

1. On November 26, 2024, the Court of Appeals for the Fifth Circuit reversed this Court's judgment in favor of Defendants and remanded "with instructions to grant [Plaintiffs'] motion for partial summary judgment." ECF No. 99, at 3. On January 21, 2025, the Fifth Circuit's mandate issued.

2. On January 20, 2025, a change in presidential administration occurred. In light of this development, Defendants have been briefing new personnel and assessing the appropriate remedy to effectuate the Fifth Circuit's mandate.

3. On February 3, 2025, Plaintiffs filed a motion for entry of judgment, stating, without support, that Defendants seek "to delay resolution of this action." ECF No. 100, ¶ 11. In the course of the parties' meet and confer by email, Defendants asked Plaintiffs to allow Defendants additional time to determine their position on the appropriate remedy, in the interest of efficiency and in the hope of reaching an agreement that might obviate the need for adversarial briefing.

4. As stated in Plaintiffs' motion, Defendants do not consent to Plaintiffs' motion for entry of their proposed judgment.

5. Defendants intend to respond fully to Plaintiffs' motion no later than February 17, 2025, in accordance with the local rules. *See* Local Rule CV-7(D)(2).

February 5, 2025

Respectfully submitted,

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ALEXANDER K. HAAS  
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/s/ Christine L. Coogle  
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